

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

C.H. Robinson Worldwide, Inc., a Delaware  
corporation,

Civil No. 03-2978 JRT/FLN

Plaintiff,

vs.

Ghirardelli Chocolate Co., a California  
corporation,

Defendant.

**AFFIDAVIT OF DAVID A. SCHOOLER  
IN OPPOSITION TO PLAINTIFF'S  
MOTION TO COMPEL AND FOR  
SANCTIONS**

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF RAMSEY    )

David A. Schooler, having been sworn upon oath, deposes and states as follows:

1.     That I am one of the attorneys retained to represent and defend the interests of Ghirardelli Chocolate Company in the above-captioned litigation.

2.     That attached hereto are true and correct copies of the following documents:

Exhibit A:     August 31, 2004 correspondence from Attorney Schooler to Attorney Nygaard.

Exhibit B:     September 8, 2004 correspondence from Attorney Schooler to Attorney Nygaard.

Further your affiant sayth not except that this Affidavit is made in opposition to Plaintiff's Motion to Compel and for Sanctions.

s/David A. Schooler  
David A. Schooler

Subscribed and sworn to before me  
this 20th day of September, 2004.

s/Carolee M. Swanson  
Notary Public